

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.  
22-00244-01-CR-W-BP

DERONE D. GIPSON,

Defendant.

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**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

**PENDING CHARGE:**      Counts 1, 2, 3:    Distribution of Methamphetamine (Actual) Within  
1,000 Feet of a Playground *in violation of* 21  
U.S.C. §§ 841(a)(1) and 860(a)

Count 4:    Conspiracy to Distribute a Controlled Substance *in  
violation of* 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and  
846 and 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)

Count 5:    Possession With Intent to Distribute Methamphetamine  
Within 1,000 Feet of a Playground *in violation of* 21  
U.S.C. §§ 841(a)(1), (b)(1)(C), and 860

Count 6:    Felon in Possession of a Firearm *in violation of* 18 U.S.C.  
§§ 922(g)(1) and 924(a)(2)

Count 7:    Possession of a Firearm in Furtherance of a Drug  
Trafficking Offense *in violation of* 18 U.S.C.  
§924(c)(1)(A)(i)

Count 8:    Maintaining a Drug-Involved Premises Within 1,000  
Feet of a Playground *in violation of* 21 U.S.C. §§ 856(a)  
and (b) and 860

Allegation of Criminal Forfeiture

**TRIAL COUNSEL:**

Government: Sean Foley, Joe Marquez and Paralegal Amy Woody

Case Agent: Detective Trenton Johns, KCPD

Defense: Beau Brindley and Michael Thompson

**OUTSTANDING MOTIONS:**

NOTICE of Filing Notice of Intent to Offer Evidence Pursuant to Rule 404(b) by USA (Doc. 72)

Defendant's Objection to Government's Notice of Intent to Offer 404(b) Evidence by Derone D. Gipson (Doc. 112)

NOTICE of Filing Notice of Expert Witnesses by USA (Doc. 73)

NOTICE of Filing of Notice of Impeachment by USA (Doc. 74)

NOTICE of Filing Rule 902 Notice by USA (Doc. 75)

Motion in Limine (Doc. 92) – filed by Defendant’s previous counsel – Defendant’s current counsel will file a request to withdraw this week

Government’s notice regarding Count Four (Doc. 98)

NOTICE of Filing of Government's Amended Notice of Expert Witnesses (Doc. 106)

Amended Proposed Witness List by USA (Doc. 118)

Amended Proposed Exhibit List by USA (Doc. 119)

Second Proposed Exhibit List by USA (Doc. 120)

**ANTICIPATED MOTIONS:** None

**TRIAL WITNESSES:**

Government: 8-9 with stipulations; 16 without stipulations

Defense: 2-4 witnesses, including Defendant who ☐ will  
☒ may  
☐ will not testify

**TRIAL EXHIBITS:**

Government: 100 exhibits

Defense: no additional exhibits identified at this time

**DEFENSES:**

☒ defense of general denial

☐ defenses of general denial and \_\_\_\_\_

**POSSIBLE DISPOSITION:**

☒ Definitely for trial

☐ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

**TRIAL TIME: 2.5 days**

Government's case including jury selection: 2 days

Defense case: .5 day

**STIPULATIONS:**

- ☐ not likely
- ☐ not appropriate
- ☒ likely as to:
  - ☒ chain of custody
  - ☒ chemist's reports
  - ☒ prior felony conviction
  - ☒ interstate nexus of firearm
  - ☒ within 1,000 feet of a playground
  - ☒ pre-admission of exhibits
- ☒ possible as to:
  - ☒ DNA testimony

**UNUSUAL QUESTIONS OF LAW:** None

**FILING DEADLINES:**

**Witness and Exhibit Lists:**

Government: January 27, 2025

Defense: January 27, 2025

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions:** January 27, 2025

**Jury instructions must comply with Local Rule 51.1**

**Motions in Limine:** January 27, 2025

**TRIAL SETTING:** Criminal jury trial docket commencing February 10, 2025.

**Please note:** The Government requests that the case be set for the second week of the two-week trial docket. One of the Government's attorneys has travel the week prior to the first week of the docket, and a necessary Government witness will be unavailable from February 13 to 17, 2025. Additionally, one of the Defense attorneys has travel and will be unavailable starting noon on February 20, 2025, through February 21, 2025.

**OTHER:**

☐ A \_\_\_\_\_-speaking interpreter is required.

☐ Other assistive devices: \_\_\_\_\_

**IT IS SO ORDERED.**

/s/ Jill A. Morris  
JILL A. MORRIS  
United States Magistrate Judge